

From N. F.
Korea, Oct. 18.
For S. F.
Sierra, Oct. 9.
From Vancouver:
Marama, Nov. 6.
For Vancouver:
Makura, Nov. 5.

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BOSTON WINS TITLE; 10 INNINGS, 3 TO 2

H. K. BISHOP NAMED SUPERINTENDENT OF PUBLIC WORKS BY FREAR

EXPERT ON ROADS IS CHOSEN

Governor Secures Noted Highway Engineer from Isl- and of Hawaii

Hubert K. Bishop, of Hilo, engineer for the Hawaii Loan Fund Commission, today was appointed superintendent of public works of the Territory, to assume active charge of his new duties November 1. The announcement was made shortly after noon by Governor Frear at the conclusion of a lengthy conference with Marston Campbell, the retiring head of the department, whose resignation is to take effect on the date that his successor goes into office.

Bishop has accepted the appointment. "Mr. Bishop, I believe, is the best man I could have found for the job," said the Chief Executive, in announcing the appointment. "He is an expert in road building and in water and sewerage work, and an idea of his ability may be gained from the fact that for several years he was in charge of the roads of the State of New York, where millions of dollars were spent annually under his direction. He is an imported product, having been brought here by the loan fund commission of the island of Ha-

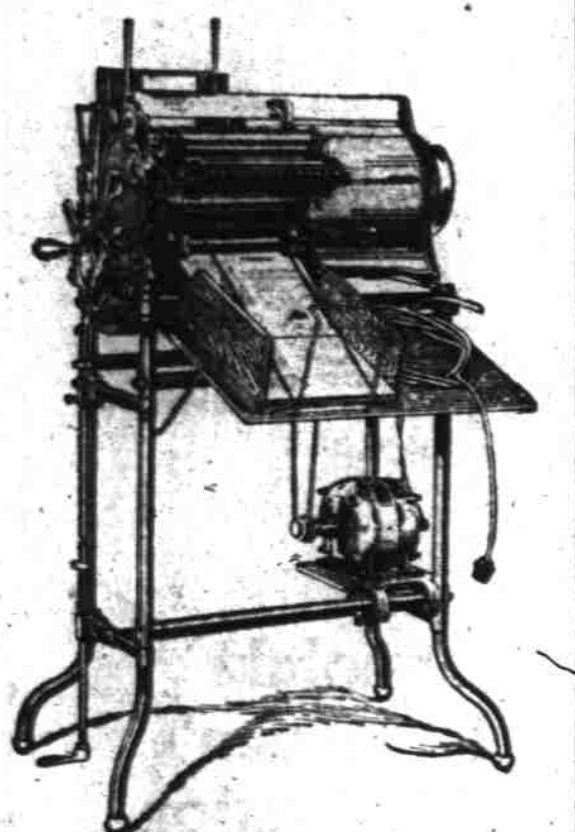
(Continued on Page Two.)

DEMOCRATS PASS LEGAL FIGHT UP TO COKE

Firmly declaring that they are right in their contention against the presence of the Maui Republican candidates' names on the official ballot, but somewhat staggered, apparently, by the attorney-general's decision yesterday, the Democratic party leaders have not definitely decided today what course to take in carrying out their protest.

The Territorial Central Executive Committee held a meeting last night but came to no definite decision. The matter was passed up to Attorney J. L. Coke, and if he decided that there is a good chance of winning a legal fight, the contention will be carried into court on a suit to enjoin Secretary of the Territory Mott-Smith from putting the contested names on the official ballot, the suit alleging the reasons the Democrats have brought up, namely, that the Republican legislative candidates from Maui did not at the time they filed their nomination papers state what party nominated them.

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WEAVER GIVES ANOTHER SIDE OF IT DECISION

Counsel for Mrs. Holloway Makes Statement on Litigation

SAYS ONLY MATTER UP IS \$10,000 OWNERSHIP

"Confused Popular Impres- sion" as to Other Titles Untrue, He Says

Judge Philip L. Weaver, former judge of the court of land registration and now one of the counsel for Mrs. Holloway in the matter of division of the \$10,000 award made on property of the John II Estate, Ltd., condemned for the Pearl Harbor naval station, was asked to state "the other side" of the question of clouded title on property that belonged to the late Judge II, which has been raised by counsel for the children of Mrs. Holloway and given emphasis by U. S. Judge Dole's decision lately affirmed by the ninth circuit court of appeals in San Francisco. In reply Judge Weaver has furnished the Star-Bulletin with the following statement:

"There seems to be a confused popular impression that the Federal Court for the Territory of Hawaii has decided that the title to many of various lots throughout the islands which John II devised is not in Irene, his daughter, now Mrs. Holloway, but in her two sons. The facts are quite different. "In the first place, the only matter which the Federal Court had before it to settle was the ownership of a sum of \$10,000, the proceeds of sale of land on Pearl Harbor which the United States government had condemned. In settling the ownership of this fund the children of John II's daughter claimed that they were entitled to the fee simple estate subject only to a life interest in their mother.

"Mrs. Holloway, and those claiming by virtue of conveyances for her, claim that Irene II, the daughter, took the fee simple. The many conveyances made in Honolulu, including the tract bought by Charles S. Desky from Liliuokalani called the Anapuni tract, and the premises mauka of this and leases of thousands of acres of cane lands in Oahu Sugar Plantation Co., Limited, were made upon the belief that the will conveyed the fee simple to the daughter.

"If the will conveyed a life interest only to the daughter, then all of these premises conveyed may be the subject of litigation upon her death. The statute of limitations would not be a defense, for the reason that the time would not begin to run till the death of the life tenant. This is the dark side of the picture.

"But you ask what has been done to prevent this state of things happening? The late Chief Justice A. F. Judd was the guardian of the minor daughter. He brought suit for the daughter and her two children.

(Continued on Page 7)

DIES AFTER AN OPERATION

Alfred O. Rosa, manager of Rosa & Co. wine and liquor dealers, Alakea and Queen streets, died in the Queen's Hospital this morning. He had undergone an operation for appendicitis last week.

He was about thirty-six years of age, and leaves a wife and young family of children. Mr. Rosa was a prominent member of the Portuguese colony. He was a Past Chief Ranger of Court Camoes, A. O. F., also had served as president of the San Antonio Society. At his death he was president of the Union Loan and Savings Association.

The price of milk has been raised, and also the price of ice, and now Honolulu is undergoing a flour famine. Not many people have been aware of this fact, but it has become so serious that the bakeries have had to call on Hilo to supply them with the material for the staff of life. This accounts for the big loads of flour the Manna Kea has been carrying from the big island to this one. The famine will be lifted shortly, however, as there is plenty of flour headed this way from the coast.

MODEL SMALL FARMING PLAN LAUNCHED HERE

Well-Known Honolulu Men Form Corporation to Raise Garden Truck

TERRITORIAL MARKETING SUPERINTENDENT MEMBER

Will Make Practical Experiment of Climate and Soils at Kailua, Oahu

Articles of copartnership have been concluded under the name of the One-awa Produce Company, to engage in truck farming for the Honolulu market. Operations of the firm will be conducted on land belonging to Arthur Rice, situated back of Kailua on this island.

According to the articles the purpose of the copartnership is "the growing, raising, producing, buying, selling and marketing all kinds of vegetables and farm products."

Forty acres of land will be put into cultivation this year, but the firm has an option on 150 acres. Onions will be the principal article planted at the start. Asparagus, watermelons, beans, sweet potatoes, etc., will follow.

An experienced farmer from Imperial Valley, California, has been engaged to conduct the farm and will have the assistance of his son.

Those forming the company are Arthur Rice, John L. Fleming, E. L. Schwartzberg, S. T. Starrett, Albert Horner, H. L. Sauers and Alfred L. Castle. The term is tentatively made one year, but should the venture prove successful, probably the company will become incorporated.

PUBLIC WINS; RECLAMATION TO GO AHEAD

The supreme court today handed down a decision in favor of the territory in the injunction suit brought against it by Cecil Brown, involving the big Kewalo irrigation project.

This decision definitely gives the territory the right to proceed with the improvement as originally contemplated and the active work, contract for which was let some time ago to the Lord-Young Engineering company, may now begin, at the earliest moment possible.

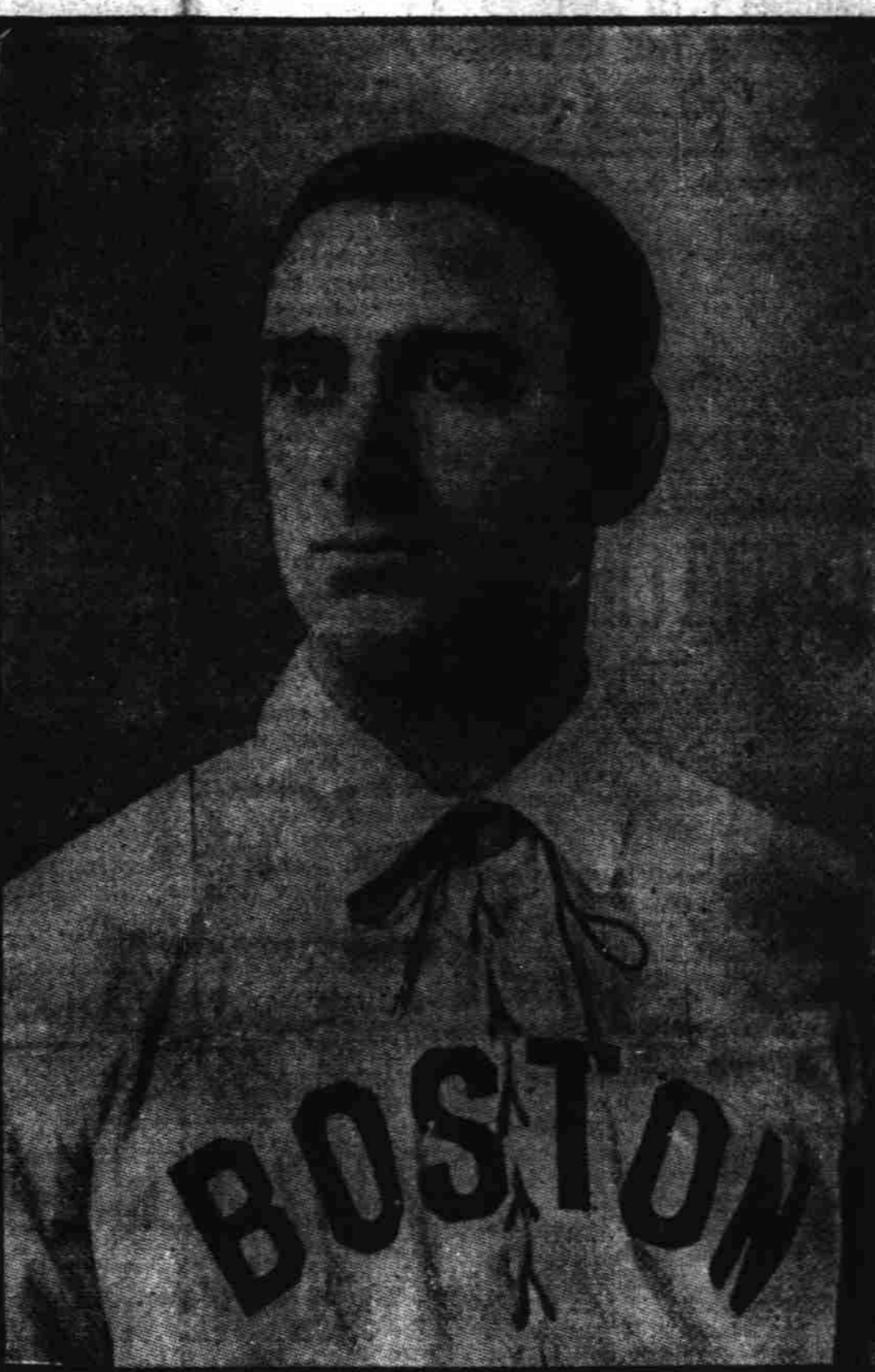
The court's decision sustains the territory's demurrer to the suit for injunction brought by Cecil Brown, who sought to restrain the territory and the Lord-Young company from undertaking this work. As a property-owner Mr. Brown contended the government, in following out its plan, would be violating the fifth amendment of the constitution, in taking private property for public use without just compensation. This was based on the proposal of the territory to make the projected fill of low lands in the Kewalo district, assessing the cost against the property affected, and if the owners should not pay, then to take the land itself in payment.

In its synopsis the court's decision states:

"Chapter 83 of the Revised Laws, as amended, relating to the improvement of lands which are in an insanitary or dangerous condition, or deleterious to the public health, is a health measure enacted in pursuance of the police power, and in providing that the work of improvement shall be done by and at the cost of the owner of the land, or, in case he refuses to act, by the government at the land owner's expense, it is not an unconstitutional taking of property, and authorizing the sale of the land to satisfy the lien imposed thereon for the amount of the cost of the improvement and the expense of foreclosure and sale, does not constitute or provide for the taking of private property for public use without just compensation in violation of the Fifth Amendment of the Constitution."

As to the right of trial by jury, one of Brown's contentions, the decision sets forth: "In the proceeding provided for by said chapter the land owner is not entitled, under the Seventh Amendment of the Constitution, to a trial before a jury on the question whether his land is in an insanitary or dangerous condition or deleterious to the public health."

Giants Lose To Red Sox In Ten-inning Struggle



JAKE STAHL

The brainy leader of the Red Sox, whose headwork in using Joe Wood again today was responsible for winning the world's championship for his team.

Vast Crowd Sees Seventh and Deciding Game of Wonderful Series

[Associated Press Cable]

BOSTON, Mass., Oct. 16.—Manager Jake Stahl's headwork in sending little Joe Wood into the box again today when Bedient showed signs of blowing up, won for the Boston Red Sox the premier honors of the baseball world in a dazzling ten-inning game today, the fourth victory out of seven games for the American League champions.

With the score a tie, the game went into extra innings, but the Bostonians sent the winning run across in the tenth and the world's championship was theirs.

Manager McGraw of New York sent Christy Mathewson into the box to duplicate, if possible, the work of Marquard and Tesreau, and Mathewson as usual pitched a great game. Both teams suffered from errors, Boston being the chief offender, and Boston's hitting was not up to that of New York.

The score: R. H. E.
Boston 3 8 3
New York 2 9 2
Batteries—Bedient, Wood and Cady; Mathewson and Meyers.

dition or deleterious to the public health.

"The provisions of said chapter, requiring the giving of notice to the land owner of the decision of the board of health as to the condition of the land and of the nature and extent of the improvement required, and allowing an appeal from such decision to a board appointed by the circuit court, whose decision shall be final, with the opportunity to the land owner to be heard before such board of appeal, held to constitute due process of law, notwithstanding such board is not empowered to compel the attendance of witnesses or to administer oaths to witnesses."

"The provision of said chapter held not to constitute a delegation to an administrative board of the power of taxation."

This was a friendly suit, brought merely to obtain a definite interpretation of the law by the Supreme Court before beginning the big improvement, thus determining the Territory's strength legally to prosecute the work despite protests of land owners. As a matter of protection the suit was encouraged by the Lord-



TRIS SPEAKER

Boston's hard-hitting outfielder, who figured in the victory.

***** Judge A. A. Wilder announced this morning that \$2500 has already been raised for the fund to send the Hawaiian polo team to California early next spring for the big polo series there. He is very much gratified with the public response that is being made. Judge Wilder's activity in helping raise this fund follows close on the heels of the successful canvass he made for the Duke Kahanamoku fund, as the result of which the \$2500 to buy a house and lot has been practically all raised. *****

Young Engineering Company, as that concern will invest a large amount of money in machinery to be built especially for the job, and it desired assurance of protection from possible injunction suits that might be started at any time after the actual work was begun.

ROOSEVELT PASSES NIGHT SPLENDIDLY

Physicians Give Out Encouraging Report--Fear Septicaemia Until Friday, But General Condition Excellent

[Associated Press Cable]

CHICAGO, Ill., Oct. 16.—The official bulletin of Col. Roosevelt's physicians, issued early this morning states that the patient passed a very good night, with his pulse and respiration normal. No anodynes were administered, there being no need for it. Less irritation of the wound is evident.

DANGER OF SEPTICAEMIA EXISTS UNTIL FRIDAY

[Associated Press Cable]

CHICAGO, Ill., Oct. 16.—Analysis of the barrel of the revolver wound this morning showed that his fourth right rib has been broken by the bullet, the exact position of which has not yet been ascertained. The physicians state that there will be danger of septicaemia until Friday, but no not seem to fear it greatly, as the general condition of the colonel is excellent.

SHRANK DENIES BELONGS TO ANY BAND OF PLOTTERS

[Associated Press Cable]

MILWAUKEE, Wis., Oct. 16.—Analysis of the barrel of the revolver with which John Shrank shot Col. Roosevelt, as well as of the remaining bullets in the revolver, shows no evidence that the bullets were poisoned. The would-be assassin was questioned closely by the police today in an effort to discover if there was anything like a plot to take the President's life. Shrank absolutely denies any political affiliations whatsoever, stating that he belongs to no order or band of anarchists, nihilists, socialists or anything of the kind. He ascribes his act to a "study of history."

WOULD-BE ASSASSIN IS BAVARIAN; ANCESTRY IS BAD

[Associated Press Cable]

NEW YORK, N. Y., Oct. 16.—Investigations carried on here by the secret service and other agents have discovered that Shrank was born in Bavaria, that he came to America as an immigrant at the age of nine. Both his father and grandfather, it is stated, were of unsound mind.

Net Tightens On Lieut. Baker

[Associated Press Cable]

NEW YORK, N. Y., Oct. 16.—The divorced wife of Herman Rosenthal, the murdered gambler, today testified in the murder case against Police Lieutenant Becker that Rosenthal and Becker were intimate friends; that she saw Rosenthal pay graft money over to "Bald Jack" Rose, who has confessed that he was the go-between for Becker and the protected gamblers.

Harry Pollok, the well known sporting man, testified that he had protected Rose after the Rosenthal murder, declaring that he had looked after Rose at Becker's orders.

JAPANESE VESSEL S SEEN HOVERING OFF BIRD ISLAND, AND THETIS COALS

The presence of several small sailing craft or fishing vessels laying off Bird Island has caused local Federal officials to incline to the belief that one or more bird poaching parties are at work on the United States reservation, set aside some time ago by special enactment at Washington.

The Pacific Mail liner China, from Hongkong by the way of Japan ports passed within rather close range of Bird Island, the naked rock that lies in the Pacific. On arrival here, officers in the China reported to local authorities that several vessels apparently fishing or sailing craft were plainly discernable with the aid of a glass.

The United States Revenue Cutter Thetis, which has just recently returned from an extended cruise in Alaskan waters, conveying the floating court to points in the far north, is being made ready for sea, judging from the preparation being made on board, and the activity displayed this morning with the loading of two large barges filled with coal.

It has been some months since the Thetis last visited the several islands to the westward of the Hawaiian groups. At that time a party of mainland scientists were landed at Laysan Island, where they carried on an extended research, and made a careful study of bird life as found there.

The party returned to Honolulu during the summer of 1911 and the Thetis then prepared to proceed to Alaska for a summer cruise.

The statement coming from the China to the effect that vessels are now in the vicinity of Bird Island has been interpreted to mean that Japanese fishermen and mayhap bird

pouchers are making the lonely spot a visit.

Two years ago the Thetis called at Laysan and Lisiansky Islands, where a landing party of officers came upon a score or more Japanese who had been at work for several months in gathering bird plumage and skins to be shipped to Japan at the instance of a large Tokyo feather firm. The Japanese claimed that they were to be picked up by a Japanese schooner and with their plunder, returned to their native land.

Bales of feathers and skins were confiscated, and while a vast quantity of the material was brought to Honolulu much of the accumulation was destroyed, while the twenty Japanese were taken aboard and landed at Honolulu, later to be sent to Japan.

Officers in the Thetis today are inclined to be non-committal regarding the future movements of the revenue cutter. The vessel has been undergoing a general overhauling while laying at her appointed anchorage. It is claimed that the Thetis can be made ready for sea in a matter of a few hours. Her officers and crew are standing by and prepared to join the vessel at a moment's notice.

In addition to the quantity of coal that has been going into the revenue cutter today, other lines of supplies have been sent to the ship, which would indicate that the vessel is being prepared for an extended cruise.

The Inter-Island steamer W. G. Hall is scheduled to depart for Kauai ports at five o'clock tomorrow evening, taking passengers, mails and cargo and supplies for Garden Island plantations.